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मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 605]

भोपाल, बुधवार, दिनांक 24 नवम्बर 2010—अग्रहायण 3, शक 1932

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 24 नवम्बर 2010

क्र. 7026-379-इक्कीस-अ(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश गृह निर्माण मण्डल (संशोधन) विधेयक, 2010 (क्रमांक 26, सन् 2010) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्द्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अपर सचिव.

MADHYA PRADESH BILL
No. 26 OF 2010.

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MADHYA PRADESH BILL

No. 26 OF 2010.

THE MADHYA PRADESH GRIHA NIRMAN MANDAL (SANSHODHAN)
VIDHEYAK, 2010.**A Bill further to amend the Madhya Pradesh Griha Nirman Mandal Adhiniyam, 1972.**

Be it enacted by the Madhya Pradesh Legislature in the Sixty-first year of the Republic of India as follows :—

- Short title and commencement.** 1. (1) This Act may be called the **Madhya Pradesh Griha Nirman Mandal (Sanshodhan) Adhiniyam, 2010.**
- (2) It shall come into force on the date of its publication in the Madhya Pradesh Gazette.
- Amendment of citation.** 2. In the citation of the Madhya Pradesh Griha Nirman Mandal Adhiniyam, 1972 (No. 3 of 1973) (hereinafter referred to as the principal Act), for the words “Griha Nirman”, the words “Griha Nirman Evam Adhosanrachna Vikas” shall be substituted.
- Substitution of long title.** 3. For the long title of the principal Act, the following long title shall be substituted, namely :—
- “An act to provide for the incorporation and regulation of a Housing and Infrastructure Development Board in the State of Madhya Pradesh for the purpose of taking measures to deal with and satisfying the need of housing accommodation and to undertake infrastructure development and for matters connected therewith.”.
- Amendment of Section 1.** 4. In Section 1 of the principal Act, in sub-section (1), for the words “Griha Nirman”, the words “Griha Nirman Evam Adhosanrachana Vikas” shall be substituted.
- Amendment of Section 2.** 5. In Section 2 of the principal Act,—
- (i) in clause (3), for the words “Housing Board”, the words “Housing and Infrastructure Development Board” shall be substituted;
- (ii) for clause (7-a), the following clause shall be substituted, namely :—
- “(7-a) “Infrastructure Development Schemes” includes schemes of construction of roads, bridges, sewage systems, airports, city level water supply and other infrastructure development schemes;”.
- Amendment of Section 3.** 6. In the marginal heading and text of Section 3 of the principal Act, for the words “Housing Board”, the words “Housing and Infrastructure Development Board” shall be Substituted.
- Amendment of heading of Chapter V.** 7. In the heading of Chapter V of the principal Act, for the words “Housing Schemes”, the words “Housing and Infrastructure Development Schemes” shall be substituted.
- Substitution of heading of Chapter VI.** 8. For the heading of Chapter VI of the principal Act, the following heading shall be substituted, namely:—
- “Housing Schemes and Infrastructure Development Schemes”.

9. In the marginal heading and text of Section 31 of the Principal Act, for the words “ Housing Schemes and Development Schemes”, the words “ Housing Schemes and/or Infrastructure Development Schemes” shall be substituted. **Amendment of Section 31.**
10. In the marginal heading and text of Section 32 of the Principal Act, for the words “ Housing Schemes and Development Schemes”, the words “ Housing Schemes and/or Infrastructure Development Schemes” shall be substituted. **Amendment of Section 32.**
11. After Section 33 of the Principal Act, the following section shall be inserted, namely :— **Insertion of Section 33-A.**

“ 33-A. Notwithstanding anything contained in any other law for the time being in force, an infrastructure development scheme any provide for all or any of the following matters, namely :—

 - (a) to prepare, formulate and implement schemes and project as required for the infrastructure development within the State;
 - (b) to provide technical and other assistance for infrastructure schemes and to implement master plan and city development plans;
 - (c) to provide assistance and consultancy services to local bodies constituted under the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956), the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961) and the Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994), urban development authorities constituted under the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 3 of 1973) and such other organizations for improving their technical and internal capacity and their financial resources;
 - (d) to construct bridges, roads, highways, airports, city level-water Supplies and sewage systems or other infrastructure development activities as decided by the Board under section 34-A.”.

Matters to be provided for by Infrastructure Development Scheme.
12. In Section 34-A of the Princiapal Act,— **Amendment of Section 34-A.**
 - (i) for the marginal heading, the following marginal heading shall be substituted, namely :—

“ Infrastructure Development Schemes.”;
 - (ii) for sub-section (1), the following sub-section shall be substituted, namely :—

“ (1) Whenever the Board is of the opinion, on the basis of request by the State Government or request by local body or development authority or on its on motion, that it is expedient to take up infrastructure development scheme in any area, the Board may frame a Development Scheme.”.
 - (iii) in sub-section (4), for the words “ development scheme”, the words “ infrastructure development scheme” shall be substituted.
13. In Section 35 of the Principal Act, in sub-section (2), in clause (a), for the words “ development schemes”, the words “ infrastructure development schemes” shall be substituted. **Amendment of Section 35.**

- Amendment of Section 37.** 14. In Section 37 of the Principal Act, in the first proviso, for the words “ development schemes” the words “ Infrastructure development schemes ” shall be substituted.
- Amendment of Section 44.** 15. In the marginal heading and text of Section 44 of the Principal Act, for the words “ housing schemes” wherever they occur, the words “ housing schemes and infrastructure development schemes” shall be substituted.
- Insertion of Section 61-A.** 16. After Section 61 of the Principal Act, the following section shall be inserted namely :—
- Infrastructure Development Fund.** “ 61-A (1) The board may, to carry out its functions create an Infrastructure Development Fund from contributions or equity contributions by the Board from its surpluses, scheduled banks, Government financial institutions or any other organisations duly approved by the State Government.
- (2) The Infrastructure Development Fund may be utilised to conduct pre-feasibility studies, feasibility studies, preparation of detailed project reports, project development report, project financing, project execution and any other related infrastructure development activity as may be determined by the Board.
- (3) For proper utilisation of Infrastructure Development Fund the Board may create a special purpose vehicle under the Companies Act, 1956 (1 of 1956) or a Trust registered under the Indian Trust Act, 1882 (2 of 1882). The Infrastructure Development Fund shall be under the control and supervision of the Board, for which the Board shall frame regulations.”.
- Amendment of Section 62.** 17. In Section 62 of the Principal Act, in sub-section (3), for the words “housing scheme”, the words “ housing and infrastructure development schemes” shall be substituted.
- Amendment of Section 76.** 18. In Section 76 of the Principal Act, for the words “ housing schemes”, the words “ housing and infrastructure development schemes” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The State Housing and Habitat Policy, 2007 recommends implementation of the infrastructural development schemes in the State by constituting the Infrastructure Development Board. Therefore, it is decided to reconstitute the Madhya Pradesh Housing Board as the Madhya Pradesh Housing and Infrastructure Development Board. It is also proposed to enlarge the scope of activities of the Madhya Pradesh Housing Board to enable it to undertake Infrastructure Development Schemes. For this particular purpose the Board shall be empowered to conceptualise, design, implement, execute, operate and maintain infrastructure projects within the State. In order to achieve this objective, suitable amendments are proposed in the Madhya Pradesh Griha Nirman Mandal Adhiniyam, 1972 (No. 3 of 1973).

2. Hence this Bill.

BHOPAL :
DATED the 12th November, 2010.

DR. NAROTTAM MISHRA
Member-in-charge.